

H3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/715,909	11/17/2000	Ronald D. Flannagan	35718/204664

000826
 ALSTON & BIRD LLP
 P O DRAWER 34009
 CHARLOTTE, NC 28234-4009

FORMALITIES LETTER



OC000000005693778

Date Mailed: 01/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/26/2001 SDIRETA1 00000089 09715909

01 FC:101
 02 FC:103
 03 FC:105

710.00 OP
 90.00 OP
 130.00 OP

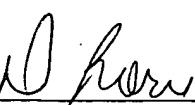
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$90.
 ■ \$90 for 5 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 930.

*A copy of this notice **MUST** be returned with the reply.*


 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 357-8/204664 (5178-107)

PATENT

MAR 26 2001

SECTOR 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Flannagan, et al.
Appl No.: 09/715,909
Filed: 11/17/00
For: NOVEL BT TOXIN RECEPTORS FROM LEPIDOPTERAN INSECTS AND METHODS OF USE

3

March 22, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application dated January 22, 2001, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$930.00 to cover the filing fee of \$800.00 and the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- Other:

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

W. Murray Spruill
Registration No. 32,943

Customer No. 000826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 420-2200
Fax Raleigh Office (919) 420-2260

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on March 22, 2001.

Pamela Lockley



Attorney's Docket No. 35718/204664 (5718-107)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Flannagan, et al.
Appl No.: 09/715,909
Filed: 11/17/00
For: NOVEL BT TOXIN RECEPTORS FROM LEPIDOPTERAN INSECTS AND
METHODS OF USE

March 22, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

W. Murray Spruill
Registration No. 32,943

Customer No. 000826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 420-2200
Fax Raleigh Office (919) 420-2260

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Box Missing Parts, Commissioner For Patents, Washington, DC 20231**, on March 22, 2001.

Pamela Lockley
RTA01/2093336v1